

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

JOSE RODRIGUEZ,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-20-669-J
)	
SCOTT YOUNG,)	
)	
Respondent.)	

ORDER

Petitioner, a federal prisoner appearing pro se, filed a petition for writ of habeas corpus under 28 U.S.C. § 2241. [Doc. No. 1]. The matter was transferred from New Jersey, then referred for initial proceedings to United States Magistrate Judge Shon T. Erwin consistent with 28 U.S.C. § 626(b)(1)(B), (C). [Doc. Nos. 3, 5]. Respondent filed a Motion to Dismiss, Petitioner filed a Response, and Respondent filed a Reply [Doc. Nos. 12, 16, 17]. Petitioner also filed a Motion to Strike Reply. [Doc. No. 18]. On review, Judge Erwin recommended that Respondent's Motion be denied and the Petition transferred to the District of Maryland; Judge Erwin further recommended that Petitioner's Motion to Strike Reply be denied. [Doc. No. 19]. Petitioner was informed that he must file any objection no later than February 8, 2021, *see id.*, but Petitioner did not object and has waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation. *See Cassanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 19], DENIES Respondent's Motion to Dismiss [Doc. No. 12], and TRANSFERS the petition for writ of habeas corpus [Doc. No. 1] to the District of Maryland. The Court also DENIES Petitioner's Motion to Strike. [Doc. No. 18].

IT IS SO ORDERED this 2nd day of March, 2021.

A handwritten signature in blue ink, appearing to read "B.M.J.", is written above a horizontal line.

BERNARD M. JONES
UNITED STATES DISTRICT JUDGE